



93RD GENERAL ASSEMBLY
State of Illinois
2003 and 2004
SB2148

Introduced 1/14/2004, by Ira I. Silverstein

SYNOPSIS AS INTRODUCED:

720 ILCS 675/1

from Ch. 23, par. 2357

Amends the Sale of Tobacco to Minors Act. Prohibits the sale of tobacco over the Internet.

LRB093 14558 RLC 40049 b

1 AN ACT concerning tobacco.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Sale of Tobacco to Minors Act is amended by
5 changing Section 1 as follows:

6 (720 ILCS 675/1) (from Ch. 23, par. 2357)

7 Sec. 1. Prohibition on sale of tobacco to minors; vending
8 machines; lunch wagons.

9 (a) No minor under 18 years of age shall buy any cigar,
10 cigarette, smokeless tobacco or tobacco in any of its forms. No
11 person shall sell, buy for, distribute samples of or furnish
12 any cigar, cigarette, smokeless tobacco or tobacco in any of
13 its forms, to any minor under 18 years of age.

14 For the purpose of this Section, "smokeless tobacco" means
15 any tobacco products that are suitable for dipping or chewing.

16 (b) Tobacco products listed above may be sold through a
17 vending machine only in the following locations:

18 (1) Factories, businesses, offices, private clubs, and
19 other places not open to the general public.

20 (2) Places to which minors under 18 years of age are
21 not permitted access.

22 (3) Places where alcoholic beverages are sold and
23 consumed on the premises.

24 (4) Places where the vending machine is under the
25 direct supervision of the owner of the establishment or an
26 employee over 18 years of age. The sale of tobacco products
27 from a vending machine under direct supervision of the
28 owner or an employee of the establishment is considered a
29 sale of tobacco products by that person. As used in this
30 subdivision, "direct supervision" means that the owner or
31 employee has an unimpeded line of sight to the vending
32 machine.

1 (5) Places where the vending machine can only be
2 operated by the owner or an employee over age 18 either
3 directly or through a remote control device if the device
4 is inaccessible to all customers.

5 (c) The sale or distribution at no charge of cigarettes
6 from a lunch wagon engaging in any sales activity within 1,000
7 feet of any public or private elementary or secondary school
8 grounds is prohibited.

9 (d) The sale of tobacco products over the Internet is
10 prohibited.

11 (e) For the purpose of this Section, "lunch wagon" means a
12 mobile vehicle designed and constructed to transport food and
13 from which food is sold to the general public.

14 (Source: P.A. 93-284, eff. 1-1-04.)